

Message

From: Eisenberg, Mindy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=CFB4C26BB6F44C7DB69F9884628B3EF9-EISENBERG, MINDY]
Sent: 6/16/2020 10:28:15 PM
To: Hurd, Kathy [Hurd.Kathy@epa.gov]
CC: McDavit, Michael W. [Mcdavit.Michael@epa.gov]
Subject: RE: Mindy you may get a call from Jeanneanne re: FW: Biweekly check in on FL 404 assumption

DELIBERATIVE

Thanks for the heads up. I just got off the phone with Tom McGill – Jeanneanne asked him to give me a call. She and I are both inclined for her to verbally talk through the FL schedule and follow up later with a written version. I am not inclined to add 404g rule timeline to the paper at this point since we are a little squishy, but I am happy to remind Dave about implications for the rule as he/Mary make decisions on FL and that we will need to keep talking. Right now, I'm assuming that the proposed rule won't make it to OMB until September, and then likely signed sometime in November with December publication.

Ex. 5 Deliberative Process (DP)

Mindy Eisenberg
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From: Hurd, Kathy <Hurd.Kathy@epa.gov>
Sent: Tuesday, June 16, 2020 2:57 PM
To: Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>
Cc: McDavit, Michael W. <Mcdavit.Michael@epa.gov>
Subject: Mindy you may get a call from Jeanneanne re: FW: Biweekly check in on FL 404 assumption

Deliberative

So, the link below is to a timeline that will be refined and updated post our call with FDEP today from 3-4:40 pm.

- ## Ex. 5 Deliberative Process (DP)

Jeaneanne

Ex. 5 Deliberative Process (DP)

- Kathy

From: McGill, Thomas <McGill.Thomas@epa.gov>

Sent: Tuesday, June 16, 2020 1:15 PM

To: Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>; Kupchan, Simma <Kupchan.Simma@epa.gov>

Cc: Hicks, Matt <Hicks.Matthew@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Hurlid, Kathy <Hurlid.Kathy@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>; Siegal, Tod <Siegal.Tod@epa.gov>; Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>

Subject: RE: Biweekly check in on FL 404 assumption

Sure, please see the attached agenda which puts NHPA on the agenda after roll call.

From: Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>

Sent: Tuesday, June 16, 2020 12:36 PM

To: Kupchan, Simma <Kupchan.Simma@epa.gov>; McGill, Thomas <McGill.Thomas@epa.gov>

Cc: Hicks, Matt <Hicks.Matthew@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Hurlid, Kathy <Hurlid.Kathy@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>; Siegal, Tod <Siegal.Tod@epa.gov>

Subject: RE: Biweekly check in on FL 404 assumption

Hi Simma,

Not too late to send up additional meeting, so I'm happy to do it.

Tom – do you have an agenda for the meeting that I can send forward?

Thanks!

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Sent: Tuesday, June 16, 2020 12:35 PM
To: Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>; McGill, Thomas <Mcgill.Thomas@epa.gov>
Cc: Hicks, Matt <Hicks.Matthew@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>; Hurlid, Kathy <Hurlid.Kathy@epa.gov>; Wade, Alexis <Wade.Alexis@epa.gov>; Siegal, Tod <Siegal.Tod@epa.gov>
Subject: Biweekly check in on FL 404 assumption

Mindy and Tom,

The biweekly call on Florida with Dave Ross is now at the same time as the WOTUS Preliminary Injunction **moot court**, unfortunately (sorry – these hearings are causing lots of problems this week). I was supposed to take the lead in presenting our thoughts on NHPA, with help from Tod and R4 ORC, so wonder if we could list the NHPA item as a discrete item on the agenda, either first or last, so that I can attend the moot court whenever not needed at the Dave Ross biweekly. Is that ok?

Also, Matt Hicks from R4 just pointed us toward an NHPA handbook with a 6-page excerpt that might be helpful background as to what NHPA consultation involves. It's not essential for the Dave Ross meeting, but either way, is it too late to send those along as part of our meeting materials?

Thanks for your help.

Simma Kupchan
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